

CITY OF LEWISTON

CITY COUNCIL

JANUARY 24, 2012

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

THE HONORABLE ROBERT E. MACDONALD, MAYOR, PRESIDING.

PRESENT: Mayor Macdonald, Councilors Butler, D'Auteuil, Libby, Saddlemire and Desjardins, City Administrator Edward Barrett, and City Clerk Kathleen Montejo. Absent/Excused: Councilor Cayer

Pledge of Allegiance to the Flag.
Moment of Silence.

UPDATE FROM THE LEWISTON YOUTH ADVISORY COUNCIL

Kenzi Masselli noted the group is working with a landscape architect regarding their renovation of Pierce Street Park and they are also coordinating a park naming contest. She stated the group finished their DVD of "Cool Happenings on Lisbon Street" and will be holding a public showing on February 11 which will include food and a photo display of Lisbon Street.

VOTE (26-2012)

Motion by Councilor Libby, seconded by Councilor Saddlemire:

To dispense with the reading of the minutes of the meeting of January 10, 2012 and to accept and place them on file as prepared by the City Clerk. Passed - Vote 5-0

PUBLIC COMMENT PERIOD

Elaine Makas, 10 Sheffield Avenue, commented on the relatively new city regulations regarding campaign signs and the ability to place signs in the public right-of-way area. She said many residents complained about the visual clutter the signs created and it made the city a real eyesore for the six weeks leading up to the election. She also felt the signs are a safety hazard since in some locations the visibility is difficult for both drivers and pedestrians. She suggested the city consider adopting the previous ordinance which prohibited signs in the rights of ways and to impose a fine on campaigns that violate this, as a way to deter them and make enforcement easier. Several Councilors asked the City Administrator to have the Planning Board review this matter and offer their recommendations back to the Council.

ANNUAL AUTHORIZATION FOR THE PUBLIC WORKS DEPARTMENT TO POST CERTAIN ROADS FROM MARCH 1 TO MAY 1, PROHIBITING VEHICLES HAVING A GROSS VEHICLE WEIGHT OF OVER 23,000 POUNDS

VOTE (27-2012)

Motion by Councilor Butler, seconded by Councilor D'Auteuil:

To authorize the Public Works Department to post the following roads prohibiting vehicles

having a gross vehicle weight of over 23,000 pounds:

From March 1, 2012 to May 1, 2012:

Ferry Road - From Cottage Road to River Road

River Road - From Ferry Road to Solid Waste Facility

Dyer Road - From Lisbon Road to Ferry Road

Pinewoods Road - From Ferry Road to Town Line

Gayton Road - From Lisbon Road to Town Line

Webster Road - From Old Lisbon Road to Crowley Road

Merrill Road - From College Road to Main Street

Sleeper Road - From Merrill Road to Town Line

Randall Road - From Sunrise Lane to Grove Street

Grove Street - From Randall Road to Town Line

Old Greene Road - From North Temple Street to Town Line

No Name Pond Road - From Old Greene Road to Town Line

Pond Road - From Cherrywood Drive to No Name Pond Road

Passed - Vote 5-0

**APPROVAL OF THE ELECTION WARRANT FOR A SPECIAL MUNICIPAL
ELECTION TO BE HELD ON TUESDAY, FEBRUARY 7, 2012 FOR THE OFFICE OF
CITY COUNCIL, WARD FOUR AND RECOMMENDATIONS FROM THE CITY
CLERK/REGISTRAR OF VOTERS ON ACTIONS NECESSARY TO CONDUCT SAID
ELECTION**

VOTE (28-2012)

Motion by Councilor Butler, seconded by Councilor D'Auteuil:

To approve the Order authorizing the Approval of the Election Warrant calling for a Special Municipal Election to be held on Tuesday, February 7, 2012 for the Office of City Council, Ward Four and Recommendations from the City Clerk/Registrar of Voters on actions necessary to conduct said election:

Be It Ordered by the City Council that the Election Warrant be issued for the Special Municipal Election to be held on Tuesday, February 7, 2012 for the purposes of voting for the City Councilor for Ward Four; and

To approve the following recommendation from the City Clerk/Registrar of Voters on actions necessary to conduct the Special Election to be held on Tuesday, February 7, 2012:

A. That the hours for acceptance of registrations in person only, prior to the February 7 election, as required by MRSA Title 21A, sec. 122, 6A(2), be set at 8:00am to 4:30pm, January 18 through February 6, 2012.

B. That the names of those persons who register during the closed session for registration shall be recorded in accordance with MRSA Title 21A, sec. 122, subsec. 7B, expect the day prior to the election when they shall be recorded in accordance with subsec. 7A.

C. Pursuant to Title 21A, sec 759(7), absentee ballots will be processed at the polling place at 8:00am, and any and all remaining shall be processed at 8:00pm, if necessary.

D. To appoint the City Clerk as the City's Election Warden and an Assistant City Clerk as the City's Ward Clerk, for the February 7, 2012 election.

Passed - Vote 5-0

APPOINTMENT TO THE LEWISTON AUBURN TRANSIT COMMITTEE

VOTE (29-2012)

Motion by Councilor Butler, seconded by Councilor D'Auteuil:

To appoint Deputy City Administrator Phil Nadeau to serve as a member of the Lewiston Auburn Transit Committee for a three year term, said term to expire June 15, 2014. Passed - Vote 5-0

**PUBLIC HEARING AND FIRST PASSAGE FOR LAND USE CODE
AMENDMENTS CONCERNING PERMITTED SIGNS**

Mayor Macdonald opened the public hearing to receive citizen input and comment. No members of the public spoke for or against this item. Mayor Macdonald then closed the hearing. Councilor Saddlemire asked Gil Arsenault, Director of Planning and Code Enforcement, for some brief background information regarding this matter. Mr. Arsenault noted the changes were primarily housekeeping in nature.

VOTE (30-2012)

Motion by Councilor Libby, seconded by Councilor Butler:

That the proposed amendment to Appendix A, Zoning and Land Use Code, Article XII "Performance Standards", Section 16, "Signs", of the City Zoning and Land Use Code, concerning requirements for signs, receive first passage by a roll call vote and that the public hearing on said ordinance be continued to the next regularly scheduled meeting for final passage.

Passed - Vote 5-0

**RESOLVE ACCEPTING THE CITY OF LEWISTON'S COMPREHENSIVE ANNUAL
FINANCIAL REPORT FOR THE YEAR ENDED JUNE 30, 2011**

VOTE (31-2012)

Motion by Councilor Butler, seconded by Councilor Saddlemire:

To adopt the Resolve Accepting the City of Lewiston's Comprehensive Annual Financial Report for the Year Ended June 30, 2011:

Be It Resolved by the City Council of the City of Lewiston that the City of Lewiston's Comprehensive Annual Financial Report, including its General Purpose Financial Statements for

the year ended June 30, 2010 as prepared by City Finance staff and the Independent Auditor's Report thereon prepared by Runyon, Kersteen Ouellette, is hereby accepted in its entirety.

Passed - Vote 5-0

**ORDER DIRECTING CITY STAFF TO TAKE NECESSARY STEPS TO TRANSFER
THE MULTI-PURPOSE CENTER TO THE SCHOOL DEPARTMENT AND
RELOCATE THE CITY PROGRAMS CURRENTLY LOCATED AT THIS FACILITY**

VOTE (32-2012)

Motion by Councilor Saddlemire, seconded by Councilor D'Auteuil:

To approve the Order directing city staff to take the necessary steps to transfer the Multi-Purpose Center to the School Department and relocate the City programs currently located at this facility:

Whereas, due to an increasing school enrollment, the City's schools are rapidly running out of classroom space; and

Whereas, expanding Longley School into the Multi-Purpose Center will allow for the addition of four classrooms to be used for the pre-kindergarten program, freeing classroom space at other elementary schools; and

Whereas, at the request of the City Council, the School Department and City staff investigated a variety of alternative locations for school and City programs including reuse of the Pettingill School, leasing space, adding modular classrooms, purchasing the Knights of Columbus building, and undertaking renovations to the Armory; and

Whereas, after analysis of long-term capital and operating costs, staff recommended that the Multi-Purpose center be transferred to the School Department and that relocation of the senior citizen program to the Armory was the most cost effective and appropriate option; and

Whereas, given the immediate space needs of the School Department, the transfer of this space and relocation of City programs must be done expeditiously;

Now, Therefore, be it Ordered by the City Council of the City of Lewiston that City staff is hereby authorized to take all necessary steps to transfer the multi-purpose center to the school department and relocate the City programs currently operated at that location. This shall include implementing plans to renovate a portion of the Armory to house programs for senior citizens, such renovations to include installation of an elevator and other Americans with Disability Act improvements to the facility, adding additional parking, and making such other interior improvements as are necessary to meet the needs of these programs.

Be it Further Ordered, that the Finance Director shall take the necessary steps to prepare for financing these improvements through developing the necessary documents to allow for the City Council to consider authorizing and issuing general obligation bonds for this project in the approximate amount of \$400,000; and

Be it Further Ordered, that the Director of Recreation shall work with the School Department to relocate a portion of the recreation programs currently operating at the MPC to other facilities including the Armory and other school gymnasiums; and

Be it Further Ordered, that City staff shall initiate the process of designating Vale Street as one-way to allow for the installation of additional parking on that street adjacent to the Armory.

Passed - Vote 5-0

**RESOLVE AUTHORIZING THE TRANSFER OF VARIOUS SCHOOL DEPARTMENT
BOND PROCEEDS FOR THE PURPOSE OF IMPLEMENTING THE INITIAL STAGES
OF THE DEPARTMENT'S FACILITY PLAN**

VOTE (33-2012)

Motion by Councilor Butler, seconded by Councilor D'Auteuil:

To adopt the Resolve authorizing the transfer of various School Department Bond proceeds for the purpose of implementing the initial stages of the Department's Facility Plan:

Whereas, in September 2011, the School Department requested the transfer of \$800,000 from the 2010 McMahon School Boiler and Ventilation Project to the Longley School Boiler Replacement and natural Gas Conversion, Multi-Purpose Center space renovation, the Lewiston High School Energy Audit, and the Lewiston Middle School Phase I Architectural and Engineering Review; and

Whereas, at that time, the City Council approved the Longley boiler replacement, the High School Energy Audit, and the Middle School review; and

Whereas, approval of the transfer of \$200,000 for renovations to the Multi-Purpose Center to allow it to be used for school purposes was requested but not approved by the Council pending additional analysis of alternatives; and

Whereas, after analyzing various options, City and School staff have recommended that the MPC be transferred to the school department; and

Whereas, the School Department has determined that an energy audit of Lewiston High School is no longer necessary given the recent conversion of the high school kitchen to natural gas; and

Whereas, the Department is requesting a slight increase in the budget for the architectural and engineering review of the middle school;

Now, Therefore, be it Resolved by the City Council of the City of Lewiston that the \$800,000 originally designated for the McMahon School Boiler and Ventilation Project be reallocated as follows:

Renovation of MPC Space and Longely Boiler Replacement	\$700,000
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Architectural and Engineering Review – Middle School	80,000
Initial Planning – New School	20,000

Passed - Vote 5-0

**APPOINTMENT OF THE CITY COUNCIL’S REPRESENTATIVE TO THE
LEWISTON AUBURN PUBLIC HEALTH COMMITTEE**

VOTE (34-2012)

Motion by Councilor D’Auteuil, seconded by Councilor Saddlemire:

To postpone action on this matter until after the election for the Ward Four City Council seat.

Passed - Vote 5-0

REPORTS AND UPDATES

Councilor Butler asked for an update on the Kennedy Park Gazebo Committee and it was noted they will be holding their first meeting next week. He encouraged residents to donate funds to the restoration of the structure.

OTHER BUSINESS

VOTE (35-2012)

Motion by Councilor Saddlemire, seconded by Councilor Butler:

To suspend the Rules and to add an item to the agenda pertaining to the Council’s selection of their representative to the Energy Saving Committee. Passed - Vote 5-0

VOTE (36-2012)

Motion by Councilor Butler, seconded by Councilor Libby:

To appoint Councilor Saddlemire as the City Council’s representative to the Energy Saving Committee. Passed - Vote 5-0

EXECUTIVE SESSION

VOTE (37-2012)

Motion by Councilor D’Auteuil, seconded by Councilor Libby:

To enter into Executive Session, pursuant to MRSA Title 1, Section 405(6)(c) to discuss Acquisition of Property of which the premature disclosure of the information would prejudice the competitive bargaining position of the City. Passed - Vote 5-0

Executive Session started at 7:25pm and ended at 8:11pm.

VOTE (38-2012)

Motion by Councilor Butler, second by Councilor Desjardins:

To adjourn at 8:12P.M. Passed - Vote 5-0

A true record, Attest:

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine